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10 IN THE UNITED STATES DISTRICT COURT  
11 THE NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 IN RE: TWITTER INC. SECURITIES  
14 LITIGATION

Case No. 4:16-CV-05314-JST (SK)

**STIPULATED REQUEST FOR ORDER  
CHANGING TIME FOR MOTION OF  
NON-PARTY JOURNALIST NICK  
BILTON TO QUASH SUBPOENA;  
[PROPOSED] ORDER**

[Declaration of Eric M. Stahl Concurrently  
Filed]

Judge: Hon. Jon S. Tigar  
Location: Courtroom 6, 2nd Floor

Pursuant to Civil Local Rule 6-2, lead Plaintiff KBC Asset Management NV (“Plaintiff”), Defendants Twitter, Inc., Richard Costolo, and Anthony Noto (“Defendants”), and non-party journalist Nick Bilton, by and through their respective counsel of record, stipulate and request as follows:

1. Plaintiff served a subpoena (the “Subpoena”) on Nick Bilton, a journalist who works as a correspondent for Vanity Fair, directing Mr. Bilton to appear and testify at trial in this matter on September 22, 2021.

2. Mr. Bilton objects to the Subpoena on the ground that any testimony he could offer in this matter is protected under the First Amendment’s qualified reporter’s privilege.

3. Counsel for Plaintiff and for Mr. Bilton have met and conferred in good faith since the Subpoena was served on July 29, 2021, but have been unable to resolve the matter. Accordingly, Mr. Bilton intends to file a Motion To Quash Subpoena (“Motion”).

4. There is insufficient time to schedule a hearing on the Motion on the 35 days’ notice required under Civil Local Rule 7-2(a). It also appears that this Court does not have any available dates on its civil motion calendar that would allow the Motion to be heard before the start of trial on September 20, 2021.

5. The parties and Mr. Bilton have conferred and stipulate to the following briefing schedule for Mr. Bilton’s pending Motion to Quash:

- Mr. Bilton will file the Motion by August 27, 2021.
- Any Opposition or response to the Motion will be filed by September 3, 2021.
- Mr. Bilton may file a Reply by September 9, 2021.

6. The parties and Mr. Bilton respectfully request that the Court hear argument on the Motion on September 17, 2021, or at such other time as the Court may direct.

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DAVIS WRIGHT TREMAINE LLP

1 Dated: August 23, 2021

DAVIS WRIGHT TREMAINE LLP  
KELLI L. SAGER  
ERIC M. STAHL

4 By: /s/ Eric M. Stahl

Eric M. Stahl  
Attorneys for Non-Party Journalist  
Nick Bilton

6 Dated: August 23, 2021

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By: /s/ John C. Dwyer  
Attorneys for Defendants

**[PROPOSED] ORDER**

The Court, having considered the parties' stipulated request and finding good cause, hereby  
ORDERS that:

1. The Court adopts the briefing schedule stipulated to by the parties and Non-Party  
Journalist Nick Bilton, with respect to Mr. Bilton's Motion To Quash Subpoena.
2. The Motion To Quash Subpoena shall be heard [on September 17, 2021] / [on  
\_\_\_\_\_].

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Jon S. Tigar  
United States District Judge

DAVIS WRIGHT TREMAINE LLP